

EXHIBIT 2

STRAFFORD, SS. THE STATE OF NEW HAMPSHIRE

SUPERIOR COURT
219-2022-CV-00189Sarah Hirsch
60 Shulman Street
Sylvan, NC 28779

v.

University of New Hampshire
105 Main Street
Durham, NH 03824

NOTICE OF REMOVAL FROM THE
NEW HAMPSHIRE COMMISSION FOR HUMAN RIGHTS
AND REQUEST FOR JURY TRIAL PURSUANT TO NH RSA 354-A:21-a

Defendant, UNIVERSITY OF NEW HAMPSHIRE, by and through its attorneys, JACKSON LEWIS P.C., hereby gives notice of its intent to remove Plaintiff's Charge of Discrimination to the Strafford County Superior Court pursuant to the provisions of NH RSA 354-A:21-a, and states as follows:

1. On or about, July 11, 2018, Sarah Hirsch dual-filed a Charge of Discrimination with the New Hampshire Commission for Human Rights ("NHCHR") (Charge No. EA 0263-18) and the Equal Employment Opportunity Commission ("EEOC") (Charge No. 16D-2018-00306) against University of New Hampshire, alleging age discrimination in violation of the Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C. §621, et seq. ("ADEA") and NH RSA 354-A, et seq. A copy of Plaintiff's Charge of Discrimination is appended hereto as Exhibit 1.

2. By letter dated November 5, 2021, the NHCHR issued a finding of probable cause on the issue of whether Plaintiff was subjected to differing treatment and subsequently terminated due to age, in violation of NH RSA 354-A, et seq.

3. Defendant denies Plaintiff's claims in their entirety.

4. Defendant wishes to exercise its right to a jury trial pursuant to the provisions of NH RSA 354-A:21.

5. A copy of this Notice has been provided to Plaintiff's counsel and to the New Hampshire Commission for Human Rights.

Respectfully Submitted,
UNIVERSITY OF NEW HAMPSHIRE,
By its attorneys,
JACKSON LEWIS P.C.,

Date: June 30, 2022

By: /s/K. Joshua Scott
K. Joshua Scott, NHBA# 17479
100 International Drive, Suite 363
Portsmouth, NH 03801
603.559.2711
joshua.scott@jacksonlewis.com

Certificate of Service

I hereby certify that a copy of the foregoing was this day served via email on Jon Meyer, Esq., counsel for Plaintiff, at jmeyer@jbackusmeyer.com and Sarah E. Burke Cohen, Esq., Assistant Director, New Hampshire Commission for Human Rights at sarah.e.burkecohen@hrc.nh.gov.

Date: June 30, 2022

By: /s/K. Joshua Scott
K. Joshua Scott

EEOC FORM 131-A (11/09)

U.S. Equal Employment Opportunity Commission

<div style="text-align: center; font-size: 2em; color: red; font-weight: bold;">COPY</div> UNIVERSITY OF NEW HAMPSHIRE 105 Main Street Durham, NH 03824	PERSON FILING CHARGE
	Sarah Hirsch
	THIS PERSON (check one or both) <input checked="" type="checkbox"/> Claims To Be Aggrieved <input type="checkbox"/> Is Filing on Behalf of Other(s)
	EEOC CHARGE NO. 16D-2018-00306
FEPA CHARGE NO. EA 0263-18	

NOTICE OF CHARGE OF DISCRIMINATION IN JURISDICTION WHERE A FEP AGENCY WILL INITIALLY PROCESS
(See the enclosed for additional information)

THIS IS NOTICE THAT A CHARGE OF EMPLOYMENT DISCRIMINATION UNDER

- ☐ Title VII of the Civil Rights Act (Title VII)
 ☐ The Equal Pay Act (EPA)
 ☐ The Americans with Disabilities Act (ADA)
☒ The Age Discrimination in Employment Act (ADEA)
 ☐ The Genetic Information Nondiscrimination Act (GINA)

HAS BEEN RECEIVED BY

- ☐ The EEOC and sent for initial processing to _____
(FEP Agency)
☒ The New Hampshire Commission for Human Rights and sent to EEOC for dual filing purposes.
(FEP Agency)

While EEOC has jurisdiction (upon expiration of any deferral requirement if this is a Title VII, ADA or GINA charge) to investigate this charge, EEOC may suspend its investigation and await the issuance of the Agency's final findings and orders. These findings and orders will be given weight by EEOC in making its own determination as to whether reasonable cause exists to believe that discrimination has occurred.

You are therefore encouraged to cooperate fully with the Agency. All facts and evidence provided by you to the Agency will be considered by EEOC when it reviews the Agency's final findings and orders. In many cases EEOC will take no further action, thereby avoiding the necessity of an investigation by both the Agency and EEOC. This likelihood is increased by your active cooperation with the Agency.

As a party to the charge, you may request that EEOC review the final findings and orders of the above-named Agency. For such a request to be honored, you must notify EEOC in writing within 15 days of your receipt of the Agency's final decision and order. If the Agency terminates its proceedings without issuing a final finding and order, you will be contacted further by EEOC. Regardless of whether the Agency or EEOC processes the charge, the Recordkeeping and Non-Retaliation provisions of the statutes as explained in the enclosed information sheet apply.

For further correspondence on this matter, please use the charge number(s) shown above.

Enclosure(s): Copy of Charge

CIRCUMSTANCES OF ALLEGED DISCRIMINATION

- ☐ Race
 ☐ Color
 ☐ Sex
 ☐ Religion
 ☐ National Origin
☒ Age
 ☐ Disability
 ☐ Retaliation
 ☐ Genetic Information
 ☐ Other

See enclosed copy of charge of discrimination.

Date	Name / Title of Authorized Official	Signature
August 8, 2018	Kevin J. Berry, District Director	

RECEIVED

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To: Agency(ies) Charge No(s):

☒ FEPA

EA 0263-18

☒ EEOC

JUL 11 2018

JUL 2018-00306

New Hampshire Commission for Human Rights and EEOC

State or local Agency, if any

Name (indicate Mr., Ms., Mrs.)

Sarah Hirsch

Home Phone (Incl. Area Code)

Date of Birth

Street Address

City, State and ZIP Code

9 Old Sutton Road, Bradford, NH 03221
P.O. Box 385

Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)

Name

No. Employees, Members

Phone No. (Include Area Code)

UNIVERSITY OF NEW HAMPSHIRE

201- 500

(603) 862-1234

Street Address

City, State and ZIP Code

105 Main Street, Durham, NH 03824

Name

No. Employees, Members

Phone No. (Include Area Code)

Street Address

City, State and ZIP Code

DISCRIMINATION BASED ON (Check appropriate box(es).)

☐ RACE ☐ COLOR ☐ SEX ☐ RELIGION ☐ NATIONAL ORIGIN
☐ RETALIATION ☒ AGE ☐ DISABILITY ☐ GENETIC INFORMATION
☒ OTHER (Specify) RSA 354-A

DATE(S) DISCRIMINATION TOOK PLACE

Earliest

Latest

01-12-2018

01-12-2018

☐

CONTINUING ACTION

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):

1. I am 57 years old.
2. I was hired by the University of New Hampshire (UNH) in August of 2006 to teach Spanish in the Department of Languages, Literatures and Cultures.
3. My performance was exemplary, verified by both student and administrative evaluations.
4. In 2015 I was promoted to the position of Senior Lecturer.
5. I hold two Master degrees; English and Spanish.
6. My contract with UNH has been renewed multiple times with my credentials remaining the same.
7. On January 16, 2018, I received notice, signed by Dean, Heidi Bostic, that my contract would not be renewed at the end of the semester. My last day of work would be May 18, 2018.
8. The notice cited significant deficit and strategic realignment as reasons for the "painful cuts" being made at UNH.
9. Within the department, five of my colleagues received notices of non-renewal that day as well.
10. Four of these colleagues are over the age of 40, with three over the age of 50, like me.
11. Prior to my last day of employment, Ms. Bostic clarified that my position would not be cut as initially indicated. Rather, a lecturer with a PhD would be sought to fill my position and "strengthen the program".
12. The job listing for my position confirmed the credentials had indeed changed.

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the above is true and correct.

NOTARY - When necessary for State and Local Agency Requirements

Annette Peters

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

Sarah Hirsch

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE PETERS
(month, day, year) 07/11/2018

ANNETTE PETERS
Notary Public-New Hampshire
My Commission Expires
February 10, 2021

07/11/2018

Date

Charge Party Signature

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To:



FEPA



EEOC

RECEIVED

Agency(ies) Charge No(s):

EA 0263--18

JUL 11 2018

16b-2018-00306

New Hampshire Commission for Human Rights

State or local Agency, if any

**NH COMMISSION
FOR HUMAN RIGHTS**

and EEOC

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):

13. On June 28, 2018, I was made aware that my position had been filled by a significantly younger lecturer who does not hold the newly required PhD credentials, but rather two Master degrees like me.
14. Additionally, the four positions formerly held by my colleagues were also filled with lecturers significantly younger, with ages ranging from 20 - 40 years old.
15. I assert I was discriminated against due to my age, by way of differing treatment and termination.
25. I have and continue to suffer damages, including but not limited to lost wages, lost earning capacity, lost employment benefits, emotional distress, humiliation, inconvenience, and loss of enjoyment of life. I seek all damages to which I am entitled.

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the above is true and correct.

07/11/2018

Date



Charging Party Signature

NOTARY - When necessary for State and Local Agency Requirements

Annette Peters

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
(month, day, year)

07/11/2018

ANNETTE PETERS
Notary Public-New Hampshire
My Commission Expires
February 10, 2021